

No.

200400167

# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Cebeco Seeds B. A.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.


NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMERICAL GENERATIONS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA, FIELD

'Tudor'

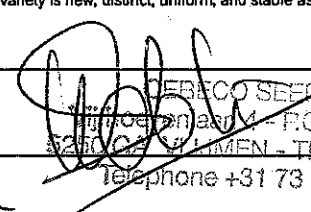
In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this fifteenth day of March, in the year two thousand and five.

Attest:

  
Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

  
Secretary of Agriculture



U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE  APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE <i>(Instructions and information collection burden statement on reverse)</i>		The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.  Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).	
NAME OF OWNER  CEBECO SEEDS B.V.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME  Cebeco 4119	3. VARIETY NAME  TUDOR
ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)  VGFHOEVENLAAN 4 - POB 10.000 5250 GA VLIJMEN - HOLLAND		5. TELEPHONE (include area code)  +31-73-5188555	FOR OFFICIAL USE ONLY PVPO NUMBER  200400167
6. FAX (include area code)  +31-73-5188572		FILING DATE  April 2, 2004	
7. THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.)  CORPORATION	8. IF INCORPORATED, GIVE STATE OF INCORPORATION  VLIJMEN - HOLLAND	9. DATE OF INCORPORATION  01-01-1993	
NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers)		FILING AND EXAMINATION FEES: \$ 3652.00 DATE 3/25/2004 CERTIFICATION FEE: \$ 432.00 DATE 1-10-2005	
TELEPHONE (include area code)	12. FAX (include area code)	13. E-MAIL	14. CROP KIND (Common Name)
GENUS AND SPECIES NAME OF CROP  Pisum Sativum L.		16. FAMILY NAME (Botanical)  Leguminosae	17. IS THE VARIETY A FIRST GENERATION HYBRID?  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? See Section 83(a) of the Plant Variety Protection Act <input checked="" type="checkbox"/> YES (If "yes", answer items 20 and 21 below) <input type="checkbox"/> NO (If "no", go to item 22)  20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHICH CLASSES? <input checked="" type="checkbox"/> FOUNDATION <input checked="" type="checkbox"/> REGISTERED <input checked="" type="checkbox"/> CERTIFIED  21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input checked="" type="checkbox"/> FOUNDATION <input checked="" type="checkbox"/> REGISTERED <input checked="" type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)	
HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES?  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)		23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)?  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)	
The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.  The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.  Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.			
NATURE OF OWNER		SIGNATURE OF OWNER  	
E (Please print or type)		NAME (Please print or type)  B. SCHOLTE	
AGENCY OR TITLE	DATE	CAPACITY OR TITLE  VARIETY REGISTRATION	DATE  22/3/2004

**NOTE:** To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it produce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials for corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of certificate. Certificates will be issued to owner, not licensee or agent.

**Plant Variety Protection Office**

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

- Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;  
(2) the details of subsequent stages of selection and multiplication;  
(3) evidence of uniformity and stability; and  
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified

Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:

- (1) identify these varieties and state all differences objectively;
- (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
- (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.

Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.

Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.

Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.

If "Yes" is specified (seed of this variety be sold by variety name only, as a class of certified seed), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).

See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.

See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

---

**CONTINUED FROM FRONT** (Please provide a statement as to the limitation and sequence of generations that may be certified.)

---

**CONTINUED FROM FRONT** (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

---

**CONTINUED FROM FRONT** (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

---

**NOTES:** It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

to avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center—East, Beltsville, MD 20705.  
Telephone: (301) 504-8089. <http://www.ams.usda.gov/lsg/seed.htm>

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The estimated OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 3.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

ST-470 (02-10-2003) designed by the Plant Variety Protection Office with Word 2000. Replaces former versions of ST-470, which are obsolete.

**EXHIBIT A**
**Origin and Breeding History of Cebeco 4119 ( Tudor ) ( Pisum sativum L.)**
**1. Genealogy**

Cebeco 4119 is selected out of the following crossing:

92585 \* Eiffel in 1995

92585 = Champagne \* CEB 1136

CEB 1136 = Solara x {(Flavanda x Progreta) x Flavanda}

In 1996 a single plant was selected in the F3, followed by line selection and replicated yield trials.

The breeding process was carried out at our breeding station in Lelystad in the Center of the Netherlands. This station is situated on 150 ha reclaimed land on heavy clay soil and is equipped with all the necessary facilities including lab facilities and greenhouses.

**2. Breeding goals**

The breeding goals were:

<u>Generation</u>	<u>Criteria for selection</u>
<b>F4 plant selection</b>	Straw stiffness Plant length
<b>F5 line selection</b>	Straw stiffness Maturity Resistance to - mildew - Botrytis
<b>F6 yield trials</b>	Yield Straw Stiffness Seed size
<b>F7 yield trials and further</b>	Yield Protein content

**Exhibit A-bis****Evidence of Uniformity and Stability of Cebeco 4119 ( Tudor ) ( Pisum sativum L.)**

Cebeco 4119 is being tested in official DUS trials in the Czech Republic since 2002 . Based on the results from these trials the official authorities in the Czech Republic have concluded the following:

1. During the testing years no variants were observed, thus confirming the Uniformity of Cebeco 4119.
2. Over the years Cebeco 4119 has proven to be a Stable variety.

**Exhibit B**
**Statement of Distinctness of Cebeco 4119 ( Tudor) ( Pisum sativum L.)**

Cebeco 4119 has been found Distinct from all other known varieties but is most similar to Cebeco Eclipse. However Cebeco 4119 can be distinguished from Cebeco Eclipse in the characteristics, as described in the following table. All the data in this table have been recorded in trials on our breeding station in Lelystad, the Netherlands.

		Cebeco 4119	Cebeco Eclipse	
Character				
TGW	2002	294	286	Scale: grams/1000 seeds
	2003	294	290	
Standing ability				
	2002	3.0	3.8	Scale: 1=100% standing 9=100% lodged
	2003	2.8	3.7	
Protein content				
	2001	19.7	21.6	Scale: %
	2002	24.4	25.4	

- Protein Content of Pea is measured by NIRS at our Laboratory in Lelystad. The equipment used is the Bran & Luebbe InfraLyzer 450 (700-2600 nm), which is a fixed filter machine. For the protein content calibration of Pea, 4 filters are used. The sample used is approx. 10 gr. of Pea meal, grinded on a Retch mill at 0.75 mm. The Control varieties Solara and Baccara are used to correct for year or site interactions. In general the protein content is calculated on the basis of 4 years of result in 3 replications

**Plant Height**

2002	97	85	Scale: Centimeters
2003	111	105	

Cebeco ung = TUPOR

REPRODUCE LOCALLY. Include form number and date on all reproductions.

Form Approved - OMB No. 0581-0055

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 2.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY  
PLANT VARIETY PROTECTION OFFICE  
BELTSVILLE, MD 20705

EXHIBIT  
(P)

OBJECTIVE DESCRIPTION OF VARIETY  
PEA (*Pisum sativum* L.)

NAME OF APPLICANT(S)  CEBECO SEEDS B.V.	FOR OFFICIAL USE ONLY
ADDRESS (Street and No. or RD No., City, State, and Zip Code) Vrijgeveenlaan 4 - P.O. Box 10000 5200 GA VLIJMEN - The Netherlands Telephone +31 73 - 5188555	PVPO NUMBER <b>200400167</b>
	VARIETY NAME
	TEMPORARY OR EXPERIMENTAL DESIGNATION

PLEASE READ ALL INSTRUCTIONS CAREFULLY: Place the appropriate number that describes the varietal character of this variety in the boxes below. Place a zero in the first box (e.g.  or ) when number is either 99 or less or 9 or less respectively. Data for quantitative plant characters should be based on minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used:

Please answer all questions for your variety; lack of response may delay progress of your application

1. TYPE:

MAH  
12-17-04

1=Garden

2=Field

3=Edible-podded

4=Other (SPECIFY):

2. MATURITY:

Node number of first bloom:

No. of days processing

Heat Units

No. of days Earlier than

1 = Alaska WR 2 = Thomas Laxton WR 3 = Little Marvel

No. of days Later than

4 = Wando 5 = Alderman WR 6 = Austrian Winter 7 = Other

3. PLANT HEIGHT:

Cm. High

Cm. Shorter than

Name of check cultivar

Cm. Taller than

Name of check cultivar

BACCARA

4. VINE:

Habit: 1=Determinate

2=Indeterminate

Stockiness: 3 = Heavy (Alderman)

Branching: 1 = None (Alaska) 2 = 1-2 Branches (Little Marvel) 3 = More than 2 Branches (Dwarf Gray Sugar)

Internodes: 1 = Straight 2 = Zig Zag

Number of nodes

## 5. LEAFLETS:

- ☐ Color: 1 = Light Green (Alaska WR) 2 = Medium Green (Thomas Laxton WR) 3 = Dark Green (Alderman)  
4 = Other (Specify) \_\_\_\_\_ 5 = Blue Green 6 = Yellow Green 0 = Not Applicable
- ☐ Wax: 1 = None 2 = Light 3 = Medium 4 = Heavy 0 = Not Applicable ☐ 1 = Not Marbled 2 = Marbled (Alaska)  
0 = Not Applicable
- ☐ Number of Leaflet Pairs: 1 = Not Paired 2 = One 3 = Two 4 = Three or More 0 = Not Applicable
- ☒ Leaflet Type: 1 = Leafless 2 = Semi 3 = Normal

## 6. STIPULES:

- ☒ 1 = Lacking 2 = Present ☒ 1 = Not Clasping 2 = Clasping
- ☒ 1 = Not Marbled 2 = Marbled ☒ Size (Compared with leaflets):  
1 = Smaller 2 = Same  
3 = Larger 0 = Not Applicable
- ☐ Color (Compared with Leaflets): 1 = Lighter 2 = Same 3 = Darker 0 = Not Applicable
- ☒ Color: 1=Light-Green 2=Medium-Green 3=Dark-Green 4=Blue-Green 5=Yellow-Green 6=Other \_\_\_\_\_

Color Chart Value: \_\_\_\_\_

Select the Color Chart Used to Determine Values.

\_\_\_\_ Royal Horticulture Society Colour Chart  
 \_\_\_\_ Munsell Color Chart  
 \_\_\_\_ Other \_\_\_\_\_

- ☒ Stipule Size: 1=Small 2=Medium 3=Large

Please provide comparative varieties (check varieties) and stipule color.

	Variety (1)	Variety (2)	Variety (3)
Variety Name:	_____	_____	_____
Stipule Size:	_____	_____	_____
Color Chart Value:	_____	_____	_____

## 7. FLOWER COLOR:

- ☐ Venation ☐ Standard ☐ Wing ☐ Keel 1 = White  
 2 = Greenish  
 3 = Lavender  
 4 = Purple  
 5 = Red  
 6 = Other (specify) \_\_\_\_\_



10. DISEASE: (0=Not Tested; 1=Susceptible; 2=Resistant; 3=Moderate Resistant; 4=Moderate Susceptible; 5=Tolerant)

PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED

- |  |   |
|--|---|
| <input type="checkbox"/> Fusarium Wilt - Race 1    | <input type="checkbox"/> Fusarium Wilt (Near Wilt) - Race 2 |
| <input type="checkbox"/> Ascochyta Blight          | <input type="checkbox"/> Common Mosaic                      |
| <input type="checkbox"/> Bacterial Blight          | <input type="checkbox"/> Pea Enation Mosaic Virus           |
| <input type="checkbox"/> Downy Mildew              | <input type="checkbox"/> Seedborne Mosaic Virus             |
| <input checked="" type="checkbox"/> Powdery Mildew | <input type="checkbox"/> Yellow Bean Mosaic Virus           |
| <input type="checkbox"/> Other (Specify) _____     | <input type="checkbox"/> Leaf Roll Virus                    |
| <input type="checkbox"/> Other (Specify) _____     | <input type="checkbox"/> Other (Specify) _____              |

11. INSECT: (0=Not Tested; 1=Susceptible; 2=Resistant; 3=Moderate Resistant; 4=Moderate Susceptible; 5=Tolerant)

- |                                 |  |
|---------------------------------|--|
| <input type="checkbox"/> Aphids | <input type="checkbox"/> Other (SPECIFY) |
|---------------------------------|--|

12. Additional information on any item above, or general comments that may aid in identification:

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

EXHIBIT E  
STATEMENT OF THE BASIS OF OWNERSHIP

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) <u>CERBERO SEEDS B.V.</u>	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER <u>CERBERO 411g</u>	3. VARIETY NAME <u>TUPOR</u>
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) <u>Vijfhoekvenlaan 4 - POB 10.000</u> <u>5250 GA VLJMEK - HOLLAND</u>	5. TELEPHONE (include area code) <u>+31-73-5188555</u>	6. FAX (include area code) <u>+31-73-5188572</u>
7. PVPO NUMBER <u>200400167</u>		
8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
9. Is the applicant (individual or company) a U.S. national or U.S. based company? If no, give name of country <u>THE NETHERLANDS</u> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
10. Is the applicant the original breeder? If no, please answer the following: <div style="display: flex; justify-content: space-between;"> <div> <p>a. If original rights to variety were owned by individual(s): Is (are) the original breeder(s) a U.S. national(s)? If no, give name of country _____</p> <p><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> </div> <div> <p>b. If original rights to variety were owned by a company: Is the original breeder(s) U.S. based company? If no, give name of country <u>THE NETHERLANDS</u></p> <p><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> </div> </div>		
11. Additional explanation on ownership (If needed, use reverse for extra space):		

## PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.

The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter.

Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotope, etc.) should contact the USDA Office of Communications at (202) 720-2791.

To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call (202) 720-7327 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.

STD-470-E (03-96)